

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL CASE NO. 5:18-cv-00199-MR

ROBERT LEE STYLES, JR.,)
Petitioner,)
vs.) ORDER
ERIK A. HOOKS,)
Respondent.)

)

THIS MATTER is before the Court on the Petitioner's Motion for Order of Designation of Record on Appeal [Doc. 18].

By the present motion, the Petitioner moves the Court to issue an Order designating the record on appeal. As grounds for his motion, the Petitioner cites Rule 10(b)(1) of the Federal Rules of Appellate Procedure. [Doc. 18].

The Petitioner's motion must be denied. Upon the Petitioner's filing of the Notice of Appeal [Doc. 15], the Court transmitted the electronic record of this action to the United States Court of Appeals for the Fourth Circuit. Thus, the Petitioner's request for a designation of the record is moot. As for Rule 10(b)(1) of the Federal Rules of Appellate Procedure, upon which the Petitioner relies, that rule relates to the appellant's duty to order transcripts

of any part of the proceedings that are not already on file. See Fed. R. App. P. 10(b)(1). All of the proceedings in this matter, however, are already part of the record. No hearings were held in this matter, and therefore, no transcripts need to be ordered. Accordingly, to the extent that the Petitioner's motion can be construed as a request to order transcripts, the motion must be denied as moot.

IT IS, THEREFORE, ORDERED that the Petitioner's Motion for Order of Designation of Record on Appeal [Doc. 18] is **DENIED AS MOOT**.

IT IS SO ORDERED.

Signed: June 27, 2020



Martin Reidinger
Chief United States District Judge
